

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**January 24, 2007**

The meeting was called to order at 4:00 p.m. by Acting Chairman Brent Fuller at 3600 Constitution Boulevard, West Valley City, Utah.

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Brent Fuller, Jack Matheson, Karen Lang, Phil Conder, Terri Mills and Mario Cisneros

**ABSENT:** Harold Woodruff, Dale Clayton

**WEST VALLEY CITY PLANNING DIVISION STAFF**

Steve Pastorik, Steve Lehman, Ron Weibel, and Lori Cannon

**WEST VALLEY ADMINISTRATIVE STAFF:**

Claire Gillmore, Asst. City Attorney

**AUDIENCE**

Approximately ten (10) people were in the audience.

## **ZONE CHANGE APPLICATION:**

**Z-1-2007**

**William Bustos**

**4001 South 6000 West**

**A to R-1-8**

**16.54 acres**

Mr. Steve Pastorik presented the application.

William Bustos is requesting a zone change for five parcels totaling 16.54 acres at 4001 South 6000 West from A (agriculture, minimum lot size of ½ acre) to R-1-8 (single family residential, minimum lot size 8,000 square feet). Surrounding zones include A and R-1-8 to the north and west and A to the east and south. Surrounding land uses include single family homes to the west, agriculture and single family homes to the north, the power line corridor to the east and the Utah Salt Lake Canal to the south. The subject property is designated as low density residential, which allows 3 to 4 units/acre, in the West Valley City General Plan.

A six month moratorium extension for the Mountain View Corridor, which affects the east 5.5 acres (approximately) of the subject property, became effective on September 13<sup>th</sup>, 2006. The moratorium does not allow subdivisions or building permits; however, rezone applications can be considered.

### **Development Proposal**

The applicant has submitted two concept plans. The first concept has 35 lots (including two existing homes) resulting in a density of about 3.2 units/acre and assumes the Mountain View Corridor will be built. The second concept has 55 lots (including two existing homes) resulting in a density of 3.3 units/acre and assumes the Mountain View Corridor will not be built.

Several issues related to the proposed conceptual layouts were discussed during the staff's technical review meeting. Assuming this rezone application is approved, these issues will be dealt with during the subdivision review process, but are listed here so the Planning Commission and the applicant are aware of them. The issues are:

- Streets connecting to 6000 West must line up with or be offset 150' from 3975 South and Contadora Lane (4000 South).
- The southern most street shown on the concept plan that connects to 6000 West may have grading and/or site distance problems due to the grade change of the canal crossing on 6000 West.
- If the Mountain View Corridor is not constructed, a connection to Marsha Drive should be included.

- A stub street to the north should be provided near the west side of the subject property to access the vacant land to the north.
- Any existing houses that are to remain need to maintain the proper setbacks, especially where new streets will be added.
- Any neighboring properties that are added to the development will need to be rezoned.

### **Development Agreement**

A development agreement is required for this project. Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet."

To address the need for a development agreement Mr. Bustos provided the attached document entitled "Development Agreement."

1. All new homes shall abide by the standards in Section 7-14-105(3)(1) of the West Valley City Zoning Ordinance.
2. The minimum size for all new homes shall be 1,600 square feet, except as provided in item 3 below.
3. The minimum size for a rambler with a 100% masonry exterior may be reduced to 1,400 square feet.
4. The average house size shall be 1,600 square feet.

In addition to the standards proposed by the applicant, staff recommends adding the following to address the TDR ordinance: Based on the concept plans submitted by the applicant, the density of the development will not exceed 3.5 units/acre. If during the subdivision review process the layout is amended to result in a density greater than 3.5 units/acre, the appropriate number of development credits shall be provided.

#### **Applicant:**

**William Bustos**  
**1957 E. Rockwood Dr.**

#### **Favored:**

**John Johnston**  
**3981 S. 6000 W.**

**Discussion:** Mr. William Bustos, the applicant, confirmed that he read and agreed with Staff's analysis. He believes 'R-1-8' is compatible with surrounding properties. Commissioner Conder asked if the applicant was self-imposing a moratorium on the

piece that is in the Mountain View Corridor's right-of-way. Mr. Bustos replied six acres will be on hold while they work on the front end of the property. He informed he has had discussions with UDOT, but there have been no concrete answers. Commissioner Conder confirmed the applicant plans to proceed on the front portion of the property even if it means putting in stub streets. Commissioner Mills reminded that a few months ago, an application came before the Commission for this property, and many neighbors requested it be zoned 'R-1-10'. She asked if the applicant has discussed his plans for this proposal with the neighboring property owners. Mr. Bustos indicated he has talked with many neighbors and all have been in support of 8,000 sq. ft. lots. He is also in negotiations with some neighbors. Mr. Bustos reported the neighbors were more concerned that multi-family units might be built.

Mr. John Johnston lives adjacent to this property and told the Commission he is in favor of the development.

Commissioner Matheson liked the plans for residential, but wanted the entire property rezoned so the applicant would not have to return in the future and have the property rezoned. Commissioner Conder agreed that if one portion of property works for residential, both portions should. He did not believe the property should be split just because of the Mountain View Corridor.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Lang moved for approval subject to the development agreement proposed by the applicant plus the TDR provision recommended by staff.

Commissioner Matheson seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – Z-1-2007 – approved**

**SUBDIVISION APPLICATIONS:**

**S-46-2006**  
**Charles Leo Subdivision**  
**3973 South 2200 West**  
**R-1-10 Zone**  
**9 Lots**  
**3 Acres**

Mr. Steve Lehman presented the application.

**BACKGROUND**

Mr. Adam Maher is requesting preliminary plat approval for the Charles Leo Subdivision. The subject property is located at 3973 South 2200 West and is zoned R-1-10. Residential housing is located on the north, east and south sides of the proposed subdivision.

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need an availability letter for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle the existing irrigation ditch.
- Improvements required along 2200West.

- Coordinate storm water drainage with Public Works.
- Follow recommendations outlined in the soils report.
- Developer will need to provide a radius on the northwest corner of Charles Leo Court. This may also necessitate a modification to the existing driveway on the Mackay property.

Building Inspections:

- Basement elevations shall be no greater than 6.5 feet from existing grades.

**ISSUES:**

The developer is proposing a subdivision consisting of 9 lots on approximately 3.0 acres. This equates to an overall density of 3.0 units per acre. Lot sizes range from 10,003 to 13,354 square feet with an average lot size of 10,750 square feet. Lot 9 which fronts 2200 West will be included in the boundary of the subdivision, but has not been included in the square footage calculations.

The subject property was recently rezoned. During that process, a development agreement was reviewed and approved by both the Planning Commission and City Council. To remind the Commission of those specific items, staff will attach the executive summary as part of the analysis.

Access to the subdivision will be gained from 2200 West. The cross section throughout the subdivision will consist of a standard 54-foot right-of-way which will allow a 5-foot parkstrip and 5-foot sidewalk. The developer will also dedicate and improve 2200 West as well. The City Engineering Division will also require that the northwest corner of Charles Leo Court be dedicated to a full corner radius. This will require the applicant to work with the adjacent land owner to resolve. In addition, it may be necessary to modify the existing driveway on this property as it may interfere with the corner radius.

During the rezoning process, a concern was raised about the existing irrigation system. Irrigation water is still used by many residents in this area and it was noted during the meeting that flooding of adjacent properties has occurred in the past. The developer's engineer has prepared a drainage plan that shows how the irrigation water will be handled. The City Engineering Division has evaluated the plan and believes that what is being proposed will work. It should be noted however, that the developer will be responsible to coordinate this plan with water users and adjacent land owners.

As with all new subdivision development, there is a concern with the potential for ground water impacts. The applicant has submitted a soils report which indicates that ground water was encountered at a depth of 9.5 feet below existing grades. Basements will be allowed at a depth not to exceed 6.5 feet.

During the study session, staff noted that minor design changes to the subdivision plat would make lots 4 and 6 more accommodating for single family dwellings. Staff suggested that the cul-de-sac be shortened and that property lines adjacent to lots 4, 5 and 6 be modified to make better use of this oddly configured corner of the subdivision. The developer has submitted a revised plat which makes better use of the southeast corner as was discussed in the study session. The new design includes a flag lot which becomes the largest lot in the subdivision and provides a more appealing building envelope to these lots than did the original design.

As a result of shifting the cul-de-sac to the west and by introducing a flag lot into the subdivision, two of the proposed lots will not meet frontage requirements. The applicant is aware that the frontage can be reduced by 15% (which in this case would be 72.25 feet) if the dwelling is 200 square feet larger and is constructed of 100% masonry products. The developer has agreed to these standards on those lots lacking the necessary frontage.

Property to the north and south is zoned for agricultural uses. City ordinance requires that these areas be fenced with a 6-foot chain link fence. During the rezoning process, and according to the development agreement, the perimeter of the subdivision will be fenced with a 6-foot vinyl fence.

**Applicant:**  
**Adam Maher**  
**5125 W. 2100 S.**

**Discussion:** Commissioner Matheson asked if the area would require additional fill. Mr. Adam Maher replied not a large amount of fill. Commissioner Matheson was concerned that the basements would not be very deep, resulting in tall foundations. He suggested the landscaping be graded from the foundations to the sidewalk. Mr. Maher acknowledged a large amount of foundation was not desired. He perceived the City's Engineering Department has resolved issues regarding the sewer. Mr. Maher told the Commission he has discussed the plans to develop with the neighbors and they are in agreement with the plans. Commissioner Matheson asked if the resident to the east is the last water user. Mr. Maher answered yes, Mr. Hansen is the last water user. He said both Mr. Hansen and his brother are in agreement with this application.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Mills moved for approval of the preliminary and final plat for the Charles Leo Subdivision subject to the following conditions:

1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
2. That the subdivision name and interior street names be approved by Salt Lake County.
3. That recommendations outlined in the soils report be followed. Basement elevations shall not exceed 6.5 feet below existing grade.
4. That interior street widths and cross sections be reviewed and approved by the Public Works Department.
5. That all matters pertaining to the existing irrigation system and noted flooding be addressed with the Public Works Department including storm drainage. Said irrigation plan shall include the approval of all water users and property owners where irrigation structures and/or ditches will be located.
6. That the subdivision be subject to the approved development agreement.
7. That 2200 West be dedicated and improved with curb, gutter, sidewalk and asphalt. Said improvements shall be in accordance with plan and profiles approved by the Public Works Department.
8. For those lots where the frontage does not meet the R-1-10 standard, dwellings will need to be 100% masonry as defined in that section along with an additional 200 square feet of living space.
9. That the developer resolve all staff and agency concerns.
10. That the grade around the home be sufficient to cover the foundation.

Commissioner Conder seconded the motion.



**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – S-46-2006 – approved**

**S-47-2006**  
**Newton Farms Subdivision**  
**3750 South 6670 West.**  
**R-1-10 Zone**  
**15 Lots**  
**5 Acres**

Mr. Steve Lehman presented the application.

**BACKGROUND**

Mr. Tom Nixon is requesting preliminary plat approval for the Newton Farms Subdivision. The subject property is located at approximately 3750 South 6670 West. The subject property was recently rezoned from the A zone to the R-1-10 zone with an accompanying development agreement. The proposed subdivision is bordered on the north and east by vacant property, the south by existing single family development and the west by the Orchard Hills Elementary School.

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need an availability letter for water, sewer and fire protection.
- Subject to design and review inspections.
- Subject to the appropriate sewer easements.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle proposed storm water.
- Dedication and improvements for all streets in accordance with Public Works standards.
- Concerns regarding management of storm water.
- Soils report will be required.

Building Inspections:

- Soils report will be required prior to final plat.

**ISSUES:**

The developer is proposing a preliminary subdivision consisting of 15 lots on 5.04 acres. This equates to an overall density of 2.97 units per acre. Lot sizes range from 10,036 to 11,875 square feet. The average lot size has been calculated at 10,381 square feet.

The subject property recently was rezoned from the A zone to the R-1-10 zone. As part of this rezone, a development agreement was reviewed and approved by the Planning Commission and City Council. Staff will attach a copy of the executive summary as part of the analysis.

During the rezone hearings, concerns were expressed about the overall area and whether properties would develop independent of each other. To address this concern, Mr. Nixon prepared a conceptual plat showing how the entire area would develop with street patterns

and residential connectivity. Concerns were also expressed about the lack of open space in this area. Although Mr. Nixon's plan did not illustrate any areas for open space, the Newton family has communicated that if additional property develops, open space would be incorporated into their sales agreements with developers.

Access to the subdivision will be gained from an existing stub street in the Copper Hill Heights No. 3 Subdivision to the south. This stub street will be the only form of access until property to the east develops. Incidentally, the property to the east was also rezoned recently, and the developer anticipates submitting a preliminary plat within the next few weeks.

The cross section to be used throughout the subdivision will consist of a standard 54-foot right-of-way. This will allow a 5-foot parkstrip and 5-foot sidewalk. The developer will need to transition the new improvements with the existing improvements on 6670 West. The developer will need to coordinate the dedication and improvements of all streets with the City Engineering Division.

The subdivision is located in an area that has been farmed for many years. As such, there may be a high water table. A soils report will be required to address this issue prior to final plat review. If basements are not allowed in the subdivision, requirements in the newly adopted housing ordinance will apply. Essentially, for homes without basements, the dwelling size increases by 100 square feet, the garage will increase to a 24 by 24 dimension and/or other storage options could be negotiated with an amended development agreement.

Fencing will be required along the north boundary of the subdivision. Lots that are adjacent to the agricultural zoning to the north will need to have a 6-foot chain link fence installed. Although the area to the north will likely develop at some future time, the developer will need to install a fence to ensure the agricultural use is not affected.

The City Engineering Division has expressed concerns regarding the management of storm water. The developer's engineer is showing storm water going east. The Engineering Division has informed the developer that all storm water will need to go west to 6800 West. The developer will need to coordinate this matter with the City to include a resolution prior to final plat review.

**Applicant:**

**Tom Nixon**

**2964 W. 4700 S.**

**Discussion:** Commissioner Conder confirmed where this development would be located in regards to the proposed overall concept plan. Steve Lehman informed that staff has

reviewed the proposed concept without knowing how all Newton family members feel. He noted there is a substantial amount of property, and the City Council has commented on a park in this area. Steve said he is not sure where a park would be located, stating staff should start reviewing this. He mentioned if it was staff's choice, a park would be located in the middle of the entire subdivision. Steve reminded the proposed concept plan could be modified in the future.

Mr. Tom Nixon said he appreciated the work staff has done on this application. He hoped that he could purchase and develop the adjoining land in the future. Commissioner Matheson indicated that some residents had concerns this property was being piece-milled. Mr. Nixon stated that Mr. Scott Newton does not want to sell, and he owns a majority of the remaining open space.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval of the Newton Farms preliminary plat subject to the following conditions:

1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
2. That the subdivision name and interior street names be approved by Salt Lake County.
3. That an appropriate ground water and soils investigation be made by a certified engineer. Said report shall be reviewed by the City Engineer and Building Official prior to final plat review.
4. That interior street widths and cross sections be reviewed and approved by the Public Works Department.
5. That all matters pertaining to any existing irrigation system be addressed with the Public Works Department and existing water users.
6. That the developer coordinate storm drain concerns with the Public Works Department.
7. That all streets be dedicated and improved according to plan and profiles approved by the City Engineering Division.

8. That the subdivision be subject to the approved development agreement.
9. That the developer resolve all staff and agency concerns.
10. That 6-foot chain link fence be installed along all agricultural properties.

Commissioner Lang seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – S-47-2006 – approved**

**S-48-2006**

**America First Credit Union - Commercial Subdivision**

**4910 West 3500 South**

**C-2 Zone**

**2 Lots**

Mr. Steve Lehman presented the application.

**BACKGROUND**

Shane Sanders, representing America First Credit Union, is requesting preliminary and final subdivision approval for a commercial subdivision in the C-2 Zone. The subject property is located west of Shopko at approximately 4960 West 3500 South.

**ISSUES:**

The commercial subdivision is being proposed in order to divide an existing parcel into two lots. The purpose for the subdivision is to create a new lot adjacent to 3500 South for a new Credit Union.

Lot 1 consists of 1.9 acres and is located in the southwest corner of the subdivision. The remaining 8.4 acres will remain undeveloped for the present time. As part of the subdivision process, 3500 South will be dedicated to its full half width of 53 feet. The developer will coordinate street improvements and other site developments as part of the conditional use permit.

Because this application is a commercial subdivision, staff and agency comments are better addressed through the conditional use process. This application is simply to divide the parcel into developable lots.

**Applicant:**

**Shane Sanders**  
**2668 Grant Avenue, #100**  
**Ogden, UT 84401**

There being no discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Conder moved for approval of the America First Credit Union Subdivision subject to a resolution of staff and agency comments.

Commissioner Matheson seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – S-48-2006 – approved**

**S-1-2007**  
**Holiday Oil – Commercial Subdivision**  
**3500 South 4400 West**  
**C-2 Zone**  
**2 Lots**

Mr. Steve Lehman presented the application.

**BACKGROUND**

Scott Wagstaff, representing Holiday Oil, is requesting preliminary and final subdivision approval for a commercial subdivision in the C-2 Zone. The subject property is located on the southeast corner of 3500 South and 4400 West.

**ISSUES:**

The commercial subdivision is being proposed in order to divide an existing commercially zoned property into 2 lots. The purpose for the subdivision is to add property from the south parcel to the original Holiday Oil parcel in order for the applicant to expand their existing business.

As part of the subdivision, the applicant will be deeding property for both 3500 South and 4400 rights-of-way. Street improvements will be installed along 4400 West, but the existing improvements along 3500 South will remain. The Planning Commission recently reviewed and approved the conditional use permit for the modified Holiday Oil wherein these items were discussed.

Because this application is a commercial subdivision, and as the Planning Commission has already reviewed the Conditional Use, staff and agency comments will be addressed as part of that process. The subdivision plat will contain easements and other information applicable to the division of property.

**Applicant:**

**Scott Wagstaff**  
**3115 West 2100 South**

**Discussion:** Commissioner Matheson asked if a car wash would be placed on the property. Mr. Scott Wagstaff replied there is not enough room for a carwash. He noted additional land may be available in the future. He said the ten-feet will give them enough room for a new convenience store.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval of the Holiday Oil Subdivision subject to a resolution of staff and agency comments.

Commissioner Lang seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – S-1-2007 – approved**

**CONDITIONAL USE APPLICATIONS:**

**C-36-2006**

**Sanders Associates Architects  
4900 West 3500 South  
America First Credit Union  
C-2 Zone**

Mr. Steve Pastorik presented the application.

Shane Sanders with Sanders Associates Architects is requesting a conditional use amendment for an America First Credit Union located at 4900 West 3500 South. Sanders Associates Architects is the authorized agent for America First Credit Union for this application. American First Credit Union has acquired all of the 10.56 acres west of Shopko that are vacant; however, they are currently only planning to utilize 1.90 acres for the 5,146 square foot, 1 story credit union with a drive-thru.



This property is zoned C-2 and is classified as general commercial or medium density residential in the West Valley City General Plan. Surrounding zones include R-1-8 to the north; R-1-7 to the west; C-2, RM and R-1-8 to the south and C-2 on the east. Surrounding uses include single family homes to the north and west, Shopko and three pad sites to the east, and townhomes and single family homes to the south.

The conditional use application submitted for the Shopko development in the late 80's included the subject property. At that time, this property was planned to be developed as a grocery store. This application, if approved, would amend the original application to allow a different configuration and use.

On June 8, 2005 the Planning Commission approved a conditional use application (C-22-2005) for American First Credit Union. This approval was made subject to the following conditions:

1. Approval from all applicable agencies and City departments
2. On the future building pad, no more than one double loaded parking aisle shall be installed between the building and the landscaping adjacent to 3500 South.
3. A pedestrian walkway shall be installed along the entire east edge of the America First Credit Union pad site.

This first conditional use application expired on June 8, 2006 as no construction had commenced on the site. The latest proposal is different than the first in that the front building orientation has moved from the south to the east. The drive-thru was on the north side of the building. It is now on the west side of the building. The orientation change was made to increase the efficiency of the drive-thru facility.

## **Issues**

### **Parking**

The amount of parking provided exceeds the maximum allowed by ordinance. The ordinance sets a parking maximum at 125% of the minimum. With a 5,146 square foot building, the parking minimum is 20 spaces and the maximum is 25. The site plan indicates 55 spaces. However, the ordinance does allow the Planning Commission to increase the number of spaces allowed if the applicant can demonstrate through a parking study that the proposed use will have a parking demand in excess of the requirement. The applicant provided the attached letter, which was submitted as part of the conditional use application made in 2005, which justifies the amount of parking shown on the site plan.

### **Street Frontage**

The commercial design ordinance requires a minimum of 30% of street frontages to be occupied by building facades within commercial complexes. The ordinance also states that for pad sites "there shall be no more than one double loaded parking aisle located

between the building and an adjacent street.” The intent of the ordinance is to allow a pad site building that had no more than one double loaded aisle to be included in the minimum 30% of the street frontage occupied by building façades. When considering the street frontage of all buildings within the larger commercial complex including Shopko, the percentage of street frontage of all buildings was 27% with the original building layout (Table 1). For this reason, the approval in 2005 included a requirement that “on the future building pad, no more than one double loaded parking aisle shall be installed between the building and the landscaping adjacent to 3500 South.” With the new building layout, the street frontage is 29%.

Table 1

<b>Entire Commercial Complex Including Existing Shopko Pad Sites</b>							
	America First Credit Union	Future Pad Site	First Utah Bank	Chinese Restaurant	Village Inn	Curb Cuts	Totals
Approx. Street Frontage	270'	222'	146'	215'	295'	136'	1,284'
2007 Approx. Building Width	134'	N/A	74'	94'	68'	N/A	370' (29%)
2005 Approx. Building Width	110'	N/A	74'	94'	68'	N/A	370' (27%)
Separation Between Building and Landscaping	One double loaded parking aisle	N/A	Two drive-through lanes	None	One single loaded parking aisle	N/A	N/A

#### Noise

As mentioned above, the drive-thru is now on the west side of the building. Single family homes exist to the west. Staff discussed concerns about noise from the drive-thru with the applicant and asked the applicant to be prepared to address ways to minimize the impact of noise on neighboring residents.

#### Building Design

After reviewing the building elevations for compliance with the commercial design ordinance, staff found that the south elevation is lacking a relief and building design

treatment. The applicant is aware of this and will address this before the public hearing.

**Applicant:**

**Shane Sanders**

**2668 Grant Avenue, #100**

**Ogden, UT 84401**

**Discussion:** Mr. Shane Sanders reminded the Commission that in 2005, approval was received in a public hearing for this credit union. He said at that time, the building's orientation was toward the east, but this resulted in problems with drivers utilizing the first drive-thru lane. Mr. Sanders acknowledged one concern regarding this orientation may be the noise from the business adjacent to residential. He perceived this should not be a problem with the 25-foot, tree-lined, landscaped buffer. Mr. Sanders discussed the masonry wall which would be placed between residential and commercial. He assured the six-foot wall would be built with the same type of brick as the building. Mr. Sanders did not believe a higher barrier would be needed as the last drive-thru lane is 63-feet from property line. He did not think residents will be able to understand conversations between customers and bank officials, and no music will be played in the kiosk.

Commissioner Conder questioned if light might be an issue. He also asked if there were any type of speakers or a direction that they could be placed which would result in decreased noise. Mr. Sanders replied he could increase the number of trees at the property line if needed. He explained the new sound systems create minimal noise, and are directed right to the member so the member can see the teller for privacy reasons. Steve Pastorik reviewed the list of conditions, noting if a pole sign is wanted, it could be reviewed at a future Planning Commission Study Session.

Mr. Sanders informed the Commission that the hours of operation would be 9:00 a.m. to 5:30 p.m., Monday through Saturday. He added that one day in those six, the inside offices of the bank would be closed, but the drive-thru would be open. Commissioner Mills preferred the front of the building face 3500 South due to the residents to the west. She also felt it would be more appealing when citizens are driving along the corridor. Mr. Sanders assured the building will have attractive features on both sides to make it appealing from the front and from 3500 South. Commissioner Mills asked if Evergreen trees would be planted. Mr. Sanders indicated Evergreen trees tend to hide people, stating shrubs that are up off of the ground work better. Steve Pastorik reminded that there are requirements regarding the number of plants for this site. Commissioner Lang mentioned this property is lower than 3500 South. She asked if fill would be added or would it remain a lower elevation. Mr. Sanders said the site would be one-foot lower than 3500 South, with very little fill added. Commissioner Lang requested the fence be placed level with the neighbor's property, so that it will actually be six-feet on the resident's property.

Commissioner Matheson thought the site design is better with drive-thru on the west side of the property. He did not believe noise would be an issue due to the sound wall and 25-foot separation. Commissioner Lang agreed that the new camera equipment used for bank drive-thru areas are quieter than at a fast food establishment. Commissioner Matheson mentioned patrons tend not to talk as loud when looking directly at someone. Commissioner Conder was satisfied with the proposed sound system.

Commissioner Mills asked if the application could come back to the Commission if complaints were received from residents. Steve Pastorik assured the application could come back to the Commission if there were complaints.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval subject to the following:

1. Approval from all applicable agencies and City departments.
2. On the future building pad, no more than one double loaded parking aisle shall be installed between the building and the landscaping adjacent to 3500 South.
3. A pedestrian walkway shall be installed along the entire east edge of the America First Credit Union pad site.
4. The site will be oriented with the drive-thru on the west side and the building facing east.
5. If a pole sign is proposed, it must come back to the Planning Commission for review at a future Study Session.
6. Music or advertising announcements will not be allowed in the covered drive-thru area.

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – C-36-2006 – approved**

**C-1-2007**

**Mark Green and Associates**

**3038 S. Decker Lake Dr.**

**M Zone 3.84 Acres**

Mr. Ron Weibel presented the application.

The applicant is requesting conditional use approval for a 180 room hotel complex on 3.84 acres of land in a manufacturing (M) zone at approximately 3038 S. Decker Lake Dr. The West Valley City General Plan designates this property as business, office, restaurants, entertainment or mixed use. The area is in the Commercial Overlay Zone and as such requires conditional use approval from the West Valley City Planning Commission. Zoning to the north of this property is M, and immediately north is a Rocky Mountain Power corridor. To the east is an apartment complex zoned RM. To the south is the E Center in a C-2 zone and to the west is the I-215 highway.

The hotel complex will consist of two separate hotels of ninety (90) rooms each, arranged in a U shape with a common pool area in the northwest corner adjacent to the ends of both buildings. Each hotel will be three stories and each will have its own entrance. One hotel will be a Holiday Inn Express and the other will be a Staybridge Hotel and Suites, an extended stay hotel. The building materials are a combination of brick, brick veneer, stucco and siding. The architect will provide a color and material board for the public hearing.

Parking requirements for a hotel are one space for each room where no cooking facilities are provided, and 1.25 spaces for each room where cooking facilities are provided. This would require 90 spaces for the Holiday Inn Express and 113 spaces for the Staybridge

Inn and Suites, for a total of 203 spaces. The site plan for this development indicates that 205 parking spaces are provided. This includes 38 stalls in an area that at this time is in the UDOT right-of-way to the south of the property. There are currently discussion between UDOT, West Valley City and the applicant to utilize this property for the benefit of the applicant for parking. Should there be a problem acquiring this area for parking the applicant's architect is submitting a letter outlining a shared parking plan with the future office/retail development to the east. West Valley City ordinances provide for shared parking among certain uses and the applicant is prepared to show that shared parking will work in this instance. If shared parking is necessary, any off-site parking required shall be installed at the time the hotels are built. There is parking on the north side of the Holiday Inn Express that abuts the Rocky Mountain Power corridor. Access to these parking stalls and to the site from this power corridor will need approval from Rocky Mountain Power. Easements for access to these parking stalls is required from Rocky Mountain Power will ultimately be the applicant's responsibility to obtain. West Valley City Legal Department is currently working on revising the existing West Valley City easement that may help address this issue. West Valley City currently has an agreement with Rocky Mountain Power for possible future parking in the corridor for the E Center and future light rail.

There is a 25 foot storm drainage easement on the east side of the subject property that encroaches 5 feet into the property. The applicant has indicated that this easement will be realigned onto the office/retail development to the east so that it does not affect this property. Any piping or realignment of this easement will have to be coordinated with and approved by West Valley City Public Works Department.

In the Commercial Overlay Zone there are specific landscape requirements. The landscape plan submitted needs to be changed to reflect these requirements, particularly the type of trees required along I-215. Staff will coordinate with the applicant to insure the required standards are met.

Access points onto 3100 S. and Decker Lake Dr. will have to be approved by West Valley City Public Works. Access from Decker Lake Dr. may have to go through the Rocky Mountain Power corridor by way of a recorded access easement. This access point will need to be constructed at the beginning of the project, with all necessary hard surfacing that is necessary from Decker Lake Dr. to the project site. If access is granted on 3100 S. it will likely be a right-in/right-out access only.

This conditional use request is for the hotel development only, and does not apply to any part of the future office/retail development to the east.

**Applicant:**  
**Russ Naylor**  
**1155 East Wilmington Ave.**

**Favored:**  
**Jeff Stockard**  
**Holiday Inn**

**Discussion:** Commissioner Fuller asked how this new development plan might affect the retail area that was already reviewed. Ron Weibel told the Commission that the retail/office development to the east will need to come back to the Commission for approval. He explained the applicant is still working on that layout. The applicant anticipates this new development will accommodate the office/retail uses located adjacent to Decker Lake Drive.

The applicant, Mr. Russ Naylor noted planning this project has taken longer than anticipated due to the proposed trax line. He said he now has engineering drawings showing how the development will work. Mr. Naylor has submitted a traffic study as required. He assured outstanding issues are being worked on, and he hopes any issues can be made a condition of approval. Mr. Naylor mentioned UDOT has conveyed property to West Valley City allowing the applicant to work with the City. He discussed parking stating the buildings to the east will be office space from 6:00 a.m. to 6 p.m., and will only need 20 parking stalls. Mr. Naylor anticipates the commercial plan will be submitted in approximately 60-days.

Commissioner Mills asked Karen Lang if parking space for large trucks was still a concern. Commissioner Lang noted other hotels in the area have semi-cabs that regularly park in their parking lots. She asked if provisions would be made for semis. Mr. Jeff Stockard reported the Extended Stay Hotel has rooms that are less expensive. He said the Staybridge Hotel is designed to compete with Marriott. Mr. Stockard indicated with room rates at \$90.00 to \$105.00 per night, he did not think it would be utilized by many truck drivers. Commissioner Lang asked about large trucks parking at the Extended Stay Hotel or about a pick-up truck with a boat. Mr. Stockard anticipated pick-up trucks with boats would use 3 to 4 parking stalls, and he did not believe this would be an issue. Commissioner Lang noted the pictures displayed to the Commission in the past were not the same as what was currently being displayed. She commented one set had stucco for an exterior, and the new pictures have siding and rock. Mr. Stockard assured they would not use siding, but the buildings would have brick or stone. Ron Weibel agreed that hardy plank would be preferred over vinyl or steel siding. Commissioner Lang asked when the applicant would know what the exterior of the buildings would look like. Mr. Stockard replied within the next 30-days.

Commissioner Conder asked Ron Weibel if this development might impact what the City or State wants to do with the overpass. Ron replied the overpass location has not been completely determined, but everything is pointing for the trax line to be on the south side of the road. If moved to the north side, it would be more expensive for engineering to accommodate that.

There being no further discussion regarding this application, Acting Chairman Fuller called for a motion.

**Motion:** Commissioner Conder moved for approval subject to the resolution of any issues raised at the public hearing and the following conditions:

1. Exterior elevation colors and materials shall be approved by the West Valley City Planning Commission and compliment the surrounding E Center development.
2. Parking shall meet the requirements of the ordinance either on-site or with approved shared parking. Any shared parking required must be installed at the same time the hotels are built. All easements necessary for access and for parking must be in place prior to construction.
3. Piping or realignment of the storm drain easement must be approved by West Valley City Public Works.
4. Landscaping must be installed per the Landscaping and Overlay Zone ordinances.
5. All accesses must be approved by West Valley City Public Works.
6. All signage must be approved by the West Valley City Planning Commission after review of a specific sign plan. Only monument and wall signs shall be allowed.
7. No part of this approval shall apply to the development to the east.

Commissioner Lang seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Absent
Commissioner Conder	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Acting Chairman Fuller	Yes
Chairman Woodruff	Absent

**Unanimous – C-1-2007 – approved**

**PLANNING COMISSION BUSINESS**

Approval of minutes from January 10, 2007 (Regular Meeting) **Approved**  
Approval of minutes from January 17, 2007 (Study Session) **Approved**



There being no further business, the meeting adjourned at 5:07 p.m.

Respectfully submitted,

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Lori Cannon, Administrative Assistant